

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

on January 8, 2004

Date of Deposit

J. Matthew Buchanan, Reg. No. 47,459

Name of applicant, assignee or
Registered Representative

Signature

Date of Signature

#6
DP
1/24/4

RECEIVED
JAN 16 2004
TECHNOLOGY CENTER R3700

Case No. 10546-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John W. Wong

Serial No.: 09/424,431

Filed: March 16, 2000

For: METHOD AND APPARATUS FOR
DELIVERING RADIATION THERAPY
DURING SUSPENDED VENTILATION

Examiner: Mendoza,
Michael G.

Group Art Unit: 7974

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

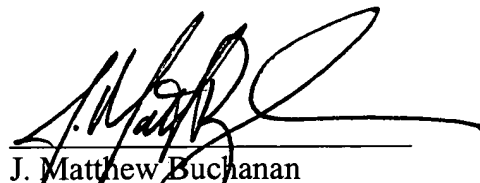
Applicant hereby appeals to the Board of Appeals from the decision dated
September 8, 2003 of the Examiner finally rejecting Claim 15.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$165.00 Small Entity
☒ Enclosed
☐ Not required (Fee paid in prior appeal)
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: January 8, 2004


J. Matthew Buchanan
Registration No. 47,459
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4281